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12 Attorneys for Plaintiff/Defendant  
13 INTUITIVE SURGICAL, INC.

14 UNITED STATES DISTRICT COURT  
15  
16 NORTHERN DISTRICT OF CALIFORNIA  
17  
18 SAN FRANCISCO DIVISION

19 ILLINOIS UNION INSURANCE COMPANY,  
20  
21 Plaintiff,

22 v.

23 INTUITIVE SURGICAL, INC.,  
24  
25 Defendant.

Case No.: 3:13-cv-04863-JST  
Complaint Filed: October 21, 2013

**JOINT STIPULATION TO EXTEND  
TIME FOR DEPOSITIONS, EXPERT  
DISCLOSURE, AND CLOSE OF  
EXPERT DISCOVERY; and**

**[PROPOSED] ORDER.**

Hon. Jon S. Tigar

26 NAVIGATORS SPECIALTY INSURANCE CO.,  
27  
28 Plaintiff,

v.

INTUITIVE SURGICAL, INC.,  
Defendant.

Case No.: 3:13-cv-05801-JST  
Complaint Filed: December 16, 2013

INTUITIVE SURGICAL, INC.,  
Plaintiff,

v.

ILLINOIS UNION INSURANCE COMPANY;  
NAVIGATORS SPECIALTY INSURANCE CO.,  
Defendants.

Case No.: 3:15-cv-04834-JST  
Complaint Filed: October 20, 2015

1 Plaintiff/Defendant Intuitive Surgical, Inc. (“Intuitive”) and Plaintiffs/Defendants Illinois  
2 Union Insurance Company (“Illinois Union”) and Navigators Specialty Insurance Company  
3 (“Navigators”) jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, to extend the  
4 time for depositions, for disclosure of experts and rebuttal experts, and for the close of expert  
5 discovery.

6 WHEREAS, as currently scheduled, the deadline to take depositions in Case Nos. 3:13-cv-  
7 04863-JST and 3:13-cv-05801-JST is January 29, 2016;

8 WHEREAS, the parties have been diligently working on finding dates for the depositions of  
9 two Illinois Union witnesses since at least early November, 2015;

10 WHEREAS, Illinois Union’s witnesses are available for deposition on February 17 and 19,  
11 2016;

12 WHEREAS, given the difficulty in scheduling, Illinois Union requested an extension for  
13 the deadline to take depositions, to which Intuitive and Navigators agreed;

14 WHEREAS, the Court held a case management conference on January 20, 2016;

15 WHEREAS, at the January 20, 2016 cases management conference, the Court ordered Case  
16 Nos. 3:13-cv-04863-JST and 3:13-cv-05801-JST (which had previously been consolidated) and  
17 Case No. 3:15-cv-04834-JST “consolidated for all purposes other than trial” (Dkt. 109);

18 WHEREAS, in Case Nos. 3:13-cv-04863-JST and 3:13-cv-05801-JST, as currently  
19 scheduled, the deadline: (i) for designation of experts is February 1, 2016, (ii) for expert reports is  
20 March 1, 2016, (iii) for designation of rebuttal experts is April 1, 2016, (iv) for rebuttal expert  
21 reports is April 15, 2016, and (v) for the close of expert discovery is May 15, 2016;

22 WHEREAS, given the recent case consolidations and in the interest of efficiency, the  
23 parties have agreed to extend the deadline: (i) for disclosure of expert testimony until April 29,  
24 2016, (ii) for disclosure of rebuttal expert testimony until May 30, 2016, and (iii) for the close of  
25 expert discovery until June 30, 2016;

WHEREAS, the parties have agreed that all parties are free to disclose and use expert testimony earlier than the agreed-upon deadlines to oppose any motion for summary judgment provided the disclosing party makes its expert available for deposition;

NOW THEREFORE, the parties, through the undersigned counsel, hereby stipulate with respect to the deadlines previously imposed in Case Nos. 3:13-cv-04863-JST and 3:13-cv-05801-JST as follows:

- that the deadline for taking depositions is extended to February 19, 2016;
- that the deadline for disclosure of expert testimony is extended to April 29, 2016;
- that the deadline for disclosure of rebuttal expert testimony is extended to May 30, 2016;
- that the deadline for close of expert discovery is extended to June 30, 2016;

The parties' proposed time modifications would impact the deadlines in Case Nos. 3:13-cv-04863-JST and 3:13-cv-05801-JST as follows:

Event	Current Schedule	New Schedule
Deadline for Taking Depositions	1/29/2016	2/19/2016
Designation of Experts / Expert Reports Due	2/1/2016 / 3/1/2016	4/29/2016
Designation of Rebuttal Experts / Rebuttal Reports Due	4/1/2016 / 4/15/2016	5/30/2016
Close of Expert Discovery	5/15/2016	6/30/2016

DATED: January 25, 2016.

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ James P. Schaefer  
Attorneys for Plaintiff/Defendant  
INTUITIVE SURGICAL, INC.

COZEN O'CONNOR

By: /s/ Charles Wheeler  
Attorneys for Plaintiff/Defendant  
ILLINOIS UNION INSURANCE COMPANY

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By: /s/ John S. Pierce  
Attorneys for Plaintiff/Defendant  
NAVIGATORS SPECIALTY INSURANCE COMPANY

Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this document has been obtained from the signatories above.

/s/ James P. Schaefer

**[PROPOSED] ORDER**

**PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS  
ORDERED THAT:**

The prior deadlines in Case Nos. 3:13-cv-04863-JST and 3:13-cv-05801-JST are amended as follows:

Event	Current Schedule	New Schedule
Deadline for Taking Depositions	1/29/2016	2/19/2016
Designation of Experts / Expert Reports Due	2/1/2016 / 3/1/2016	4/29/2016
Designation of Rebuttal Experts / Rebuttal Reports Due	4/1/2016 / 4/15/2016	5/30/2016
Close of Expert Discovery	5/15/2016	6/30/2016

DATED: January 25, 2016

